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September 21, 2021

**VIA ECF**

Hon. Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Square, Courtroom 618  
New York, NY 10007

**Re: McGucken v. Newsweek LLC, Case No. 1:19-cv-09617-KPF**

Dear Judge Failla:

We represent defendant Newsweek Digital LLC (“Newsweek”) in the above-captioned action. We write to provide notice to the Court regarding the outcome of a case cited and discussed in Newsweek’s summary judgment briefing. *See* Dkt. No. 65 at 22; Dkt. No. 73 at 2. Attached as **Exhibit A** please find a copy of the September 17, 2021 Order granting Instagram, LLC’s motion to dismiss in *Hunley v. Instagram, LLC*, Case No. 21-cv-03778-CRB, before the U.S. District Court for the Northern District of California.

We thank the Court for its attention to this matter.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Nancy E. Wolff'.

Nancy E. Wolff

cc: All Counsel of Record (via CM/ECF)